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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,624	06/16/2000	RAN M. OZ	40005079-0004-002	1033

26263 7590 10/22/2007  
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EXAMINER
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VU, NGOC K

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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10/22/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/595,624		OZ ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Ngoc K. Vu		2623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 27-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/23/2007 has been entered.

***Response to Arguments***

2. Applicant's arguments with respect to claims 27-30 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 27 is rejected under 35 U.S.C. 102(e) as being anticipated by Shioda et al. (US 6,484,318 B1).

Regarding claim 27, Shioda teaches a broadband multimedia system (see figure 1), comprising: a broadband multimedia router (26) communicatively connected to a data router (36) and between a plurality of media sources (28, 30, 34) and a plurality of network transmitters (51), and configured to encapsulate packets of video streams received from said media sources within addressable packets for switching between inputs and outputs of said broadband

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multimedia router (for example, selectively downstream video packets from server 28, 30 or 34 to terminal via switch 26) (see col. 5, line 65 to col. 6, line 8; col. 7, lines 30-36 and 40-47; col. 14, lines 59-62; col. 11, lines 23-28; col. 21, lines 1-3); and a session manager (10-12, 14), communicatively connected to said broad band multimedia router and configured to provide routing instructions to said broadband multimedia router (col. 19, lines 40-45; col. 20, lines 64-67) for (i) directing said video streams received from said media sources to said network transmitters for transmitting over a broadband network (downstream video packets from servers 28, 30 or 34 over CATV net 40 to terminal 50) and (ii) directing addressable data packets (IP data) received from said data router (36) to at least a selected one of said network transmitters for transmitting over said broadband network to a specific destination (receiver address) associated with address information included in said addressable data packets (see col. 11, lines 24-28; col. 14, lines 59-62; col. 15, lines 49-58).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shioda et al. (US 6,484,318 B1) in view of Hraster et al. (US 6,324,267 B1).

Regarding claim 28, Shioda teaches upstream communication from personal computer to the server on the Internet or the server of the center 2 via the CATV net 40 and communication unit 10 (see col. 15, lines 60-63 and figure 1). Shioda does not explicitly teach receiving data session requests, authorizing data sessions in response thereto and allocating network resources for said data sessions. However, Hraster discloses that a terminal sends a

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request for an allocation of system resources to control and management component so that the terminal can receive high data rate transmissions, and when the terminal is determined as an authorized terminal or subscriber, the system allocates resources for the authorized terminal or subscriber (see col. 10, lines 29-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Shioda by receiving data session requests, authorizing data sessions in response thereto and allocating network resources for said data sessions as taught by Hraster in order to allow the terminal receiving high data transmissions.

Regarding claims 29-30, Shioda teaches assigning a layer three address (e.g., IP address) and a network channel layer three address (e.g., channel assign information) to a terminal (50, 54) communicatively connected to said broadband multimedia system via said broadband network (e.g., CATV net 40) (see figure 1; col. 7, lines 42-47 and 60-67; col. 8, lines 16-22). Shioda does not teach the terminal comprising a digital STB. Official Notice is taken that subscriber terminal comprises a digital set top box (STB) in CATV communication system is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify system of Shioda by including a digital STB coupled to terminal in order to effectively provide television services in high quality.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ngoc Vu/  
NGOC K. VU  
PRIMARY EXAMINER  
Art Unit 2623

October 16, 2007